

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SWINTER GROUP, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:16-CV-02064-HEA
)	
PRECISION MULTIPLE CONTROLS, INC,)	
d/b/a LUMASTROBE and LUMASTROBE)	
WARNING LIGHTS, et al.,)	
)	
Defendants.)	

JOINT MOTION TO REMAND

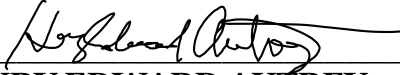
Plaintiff Swinter Group, Inc., and Defendant Precision Multiple Controls, Inc. d/b/a Lumastrobe and Lumastrobe Warning Lights jointly move to remand the case to the Circuit Court of St. Charles County, Missouri, with all parties to bear their own costs and any actual expenses, including attorney fees, incurred as a result of the removal.

Defendant takes the position that this Court lacks federal subject-matter jurisdiction. Plaintiff disagrees, but rather than expend additional and unnecessary time and resources involved in filing and opposing a motion for summary judgment on jurisdictional grounds, and potentially litigating a related appeal, or reaching a settlement, only to face a jurisdictional objection from a class member, the parties have agreed to jointly seek remand to the Circuit Court of St. Charles County, Missouri, where there would be no question about the court's jurisdiction to proceed with this case or to approve a class settlement.

The parties have already been in communication with the mediator.

WHEREFORE, Plaintiff Swinter Group, Inc., and Defendant Precision Multiple Controls, Inc. d/b/a Lumastrobe and Lumastrobe Warning Lights request that the Court grant this motion.

SO ORDERED ON JULY __, 2017:



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE

SCHULTZ & ASSOCIATES LLP

By: /s/ Ronald J. Eisenberg
Ronald J. Eisenberg, #48674MO
640 Cepi Drive, Suite A
Chesterfield, MO 63005
(636) 537-4645
Fax: (636) 537-2599
reisenberg@sl-lawyers.com

Attorney for Plaintiff
Swinter Group, Inc.

THOMPSON COBURN LLP

By: /s/ Matthew D. Guletz
Matthew D. Guletz, #57410MO
One US Bank Plaza
St. Louis, MO 63101
314-552-6000
Fax: 314-552-7000
mguletz@thompsoncoburn.com

Attorneys for Defendant
Precision Multiple Controls, Inc.

CERTIFICATE OF SERVICE

I certify that on July 14, 2017, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all registered counsel of record.

/s/ Ronald J. Eisenberg